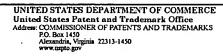


United States Patent and Trademark Office



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,096	10/18/2001	Bin Zhao	12569-06/NEC	1986
7	590 05/05/2003			
STRADLING	YOCCA CARLSON	EXAMINER		

STRADLING YOCCA CARLSON & RAUT!
IP Department
P.O. Box 7680
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6441

FINEMAN, LEE A

ART UNIT PAPER NUMBER

2872

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

		M				
	Application No.	Applicant(s)				
•	10/002,096	ZHAO, BIN				
Office Action Summary	Examiner	Art Unit				
4	Lee Fineman	2872				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on	·					
2a) This action is FINAL . 2b) Th	is action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4)⊠ Claim(s) <u>1-27</u> is/are pending in the application						
4a) Of the above claim(s) is/are withdra	wn from consideration.					
,—	Claim(s) is/are allowed.					
,	S) Claim(s) is/are rejected.					
	Claim(s) is/are objected to.					
8) Claim(s) 1-27 are subject to restriction and/or	election requirement.					
Application Papers	ar.					
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documen	ts have been received.					
2. Certified copies of the priority documents have been received in Application No						
Copies of the certified copies of the pricapplication from the International But See the attached detailed Office action for a list.	ority documents have been receiv ureau (PCT Rule 17.2(a)).	red in this National Stage				
14) ☐ Acknowledgment is made of a claim for domes						
 a) The translation of the foreign language pr 15) Acknowledgment is made of a claim for domes 	ovisional application has been re	ceived.				
Attachment(s)	□ ·	n. (DTO 412) Daner No(c)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informa	ry (PTO-413) Paper No(s) I Patent Application (PTO-152)				
LS Patent and Trademark Office						



Art Unit: 2872

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I – Single-stage Interleaver as shown in fig. 1

Species II – Two-stage Interleaver as shown in fig. 3

Species III – Three-stage Interleaver as shown in fig. 5

Species IV - Folded Two-stage Interleaver as shown in fig. 7

Species V – Folded Three-stage Interleaver as shown in fig. 9

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-11 and 15-21 appear to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after

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the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

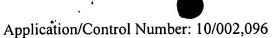
Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was not made to applicant's representative to request an oral election to the above restriction requirement because of the complexity of the restriction requirement.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Fineman whose telephone number is (703) 305-5414. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cassandra Spyrou can be reached on (703) 308-1687. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.

LAF

April 28, 2003

MARK A. ROBINSON PRIMARY EXAMINER